

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (New) A method for treating ischemic congestive heart failure comprising the steps of:  
identifying akinetic tissue within a heart chamber wall;  
making an incision through the akinetic tissue in the chamber wall;  
at least partially securing to the chamber wall a patch comprising a superelastic or shape memory material;  
removing the shaping device; and  
closing the incision.
2. (New) The method of Claim 1, wherein said patch comprises an attached suture.
3. (New) The method of Claim 1 further comprising the step of excluding the akinetic tissue.
4. (New) The method of Claim 1, wherein the patch comprises nitinol.
5. (New) The method of Claim 1, wherein the patch has a concave surface.
6. (New) The method of Claim 1, wherein the patch has a convex surface.
7. (New) The method of Claim 1, wherein the patch comprises more than one material.

8. (New) The method of Claim 1 further comprising the step of trimming the patch.
9. (New) The method of Claim 1, wherein the patch is pre-cut.
10. (New) The method of Claim 1, wherein the patch comprises a rim comprising superelastic or shape memory material.
11. (New) The method of Claim 1, wherein the patch comprises means for limiting the movement of the patch relative to the chamber wall.
12. (New) The method of Claim 1, wherein the step of identifying akinetic tissue comprises providing one or more images to a computer.
13. (New) The method of Claim 1 further comprising the steps of providing one or more images to a computer, and using the computer to determine when to perform the method.
14. (New) The method of Claim 13, wherein images of the heart at different time intervals can be saved.
15. (New) The method of Claim 13, wherein two or more persons using different computers can view the model.

16. (Original) The method of Claim 1 further comprising the steps of providing one or more images to a computer, and using the computer to determine an appropriate size for one or more devices.

17. (Original) A method for treating ischemic congestive heart failure comprising the steps of:

identifying akinetic tissue within a heart chamber wall;  
making an incision through the akinetic tissue in the chamber wall;  
securing a patch, said patch being configured to engage the chamber wall to limit the movement of the patch relative to the chamber wall; and  
closing the incision.

18. (Original) The method of Claim 17 further comprising the step of excluding the akinetic tissue.

19. (Original) The method of Claim 17, wherein the patch comprises at least one barb.

20. (Original) The method of Claim 17, wherein the patch comprises at least one hook.

21. (Original) The method of Claim 17, wherein the patch comprises an adhesive.

22. (Original) The method of Claim 17, wherein the patch comprises one or more protrusions.

23. (Original) The method of Claim 17, wherein the patch comprises both one or more barbs and an adhesive.
24. (Original) The method of Claim 17, wherein the patch comprises both one or more hooks and an adhesive.
25. (Original) The method of Claim 17, wherein the patch comprises an attached suture.
26. (Original) The method of Claim 17, wherein the patch comprises superelastic or shape memory material.
27. (Original) The method of Claim 17, wherein the patch has a concave surface.
28. (Original) The method of Claim 17, wherein the patch has a convex surface.
29. (Original) The method of Claim 17, wherein the patch comprises nitinol.
30. (Original) The method of Claim 17, wherein the patch comprises a rim comprising a superelastic or shape memory material.
31. (Original) The method of Claim 17, wherein the step of making an incision comprises using an endoscope with an incising tip.

32. (Original) The method of Claim 17, wherein the step of making an incision comprises making a percutaneous penetration incision.

33. (Original) The method of Claim 17, wherein the step of identifying akinetic tissue comprises providing one or more images to a computer.

34. (Original) The method of Claim 17 further comprising the steps of providing one or more images to a computer, and using the computer to determine when to perform the method.

35. (Original) The method of Claim 34, wherein images of the heart at different time intervals can be saved.

36. (Original) The method of Claim 34, wherein two or more persons using different computers can view the model.

37. (Original) The method of Claim 17 further comprising the steps of providing one or more images to a computer, and using the computer to determine an appropriate size for one or more devices.

38. (Original) A method for treating ischemic congestive heart failure in a patient comprising the steps of:

placing one or more patches comprising a superelastic or shape memory material on the outside of the patient's heart; and

attaching said one or more patches to the outside of the heart so that said one or more patches constrain the outside of the heart.

39. (Original) The method of Claim 38, wherein said one or more patches are configured to prevent remodeling of the heart tissue.

40. (Original) The method of Claim 38, wherein said one or more patches are configured to assist the ventricular contraction of the heart.

41. (Original) A patch comprising a superelastic or shape memory material configured to apply a compression force to one or more tissue sites, wherein said patch is set into a first shape such that said patch tends toward said first shape when released after being deformed, and wherein said patch is adapted to be deformed for positioning on the tissue site and to compress said tissue site when released.

42. (Original) The patch of Claim 41, wherein said patch can remain in a patient after a surgical procedure has been completed.

43. (Original) The patch of Claim 41, wherein said patch comprises nitinol.

44. (Original) The patch of Claim 41, wherein releasing said patch comprises changing the temperature of said patch.

45. (Original) The patch of Claim 41, wherein releasing said patch comprises detaching a deployment device.
46. (Original) A patch comprising a superelastic or shape memory material configured to be secured to a heart chamber wall to assist in systole.
47. (Original) A patch for use in treating congestive heart failure, wherein said patch is set into a first shape such that said patch when released after being deformed for insertion, self-expands tending toward said first shape.
48. (Original) The patch of Claim 47, wherein said patch comprises nitinol.
49. (Original) The patch of Claim 47, wherein releasing said patch comprises changing the temperature of said patch.
50. (Original) The patch of Claim 47, wherein releasing said patch comprises moving said patch relative to a sheath.